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TOWNSEND and TOWNSEND and CREW LLP

By:   
Robert J. Nylton

PATENT  
Attorney Docket No.: 16869N-108300US  
Client Reference No.: 210300078US01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Hajime Nishimura et al.

Application No.: 10/803,454

Filed: March 17, 2004

For: OPTICAL DISC DEVICE FOR  
RECORDING DIFFERENT TYPES OF  
OPTICAL DISCS AND DATA  
RECORDING METHOD FOR OPTICAL  
DISC DEVICE

Confirmation No.: 5440

Examiner: Latanya Bibbins

Art Unit: 2627

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER  
37 CFR §1.97 and §1.98

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The reference cited on attached form PTO/SB/08A is being called to the attention of the Examiner. A copy of the references is enclosed.

Also enclosed is a copy of an office action issued by the Japan Patent Office (JPO) for the corresponding JPO patent application JP2003-206750 which cites the disclosed references. Please note that the JPO examiner cited JPO laid open patent application 2002-056558 which is already of record in the present application.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

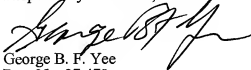
This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

CERTIFICATION

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
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